

HOFLAND & TOMSHECK

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA A. LORCA

Defendant

Case No.: 2:17-CR-000930-KJD-PAL

STIPULATION AND ORDER TO
CONTINUE SENTENCING DATE,
(5th REQUEST)

IT IS HEREBY STIPULATED, by and between the UNITED STATES OF AMERICA, by and through Dayle Elieson, United States Attorney, and Dan Cowhig, Assistant United States Attorney, and defendant, JOSHUA LORCA, by and through his attorney, Joshua Tomsheck, Esq., of the law firm of Hofland & Tomsheck, that the sentencing date in the above-captioned matter now scheduled for June 26, 2018 vacated and continued to a date and time convenient to the Court, no sooner than thirty (30) days beyond the current setting, in order for the Parties to have sufficient time to prepare for sentencing in this matter.

This is the FIRST request by the undersigned defense counsel for a continuance of the scheduled sentencing date, is made in good faith and not for the purpose of delay and comports with the good cause requirements of Fed. R. Crim. P. 32(b)(2).

1. Counsel for the Defendant is appointed CJA counsel.
2. The Defendant is in custody and consents to this stipulation.
3. Counsel for the Defendant needs additional time to finalize preparation of additional information for this Court prior to sentencing.
4. Counsel for the Defendant will be out of the jurisdiction during July 1 to July 5, 2018 and July 13 to July 19, 2018.
5. Denial of this request for continuance would deny the parties herein time and the opportunity to effectively and thoroughly prepare for the sentencing hearing, taking into account the exercise of due diligence.
6. Additionally, denial of this request for continuance could result in a miscarriage of justice.
7. For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing date.

DAYLE ELIESON
United States Attorney

HOFLAND & TOMSHECK

/S/ D. Cowhig
DAN COWHIG
Assistant United States Attorney

/S/ J. Tomsheck
JOSHUA TOMSHECK, ESQ
Counsel for Defendant

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v

6 JOSHUA A. LORCA

7 Defendant

Case No.: 2:17-cr-00093-KJD-PAL

FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER

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10 Based upon the pending Stipulation of the parties, and good cause appearing
11 therefore, the Court finds that:

12 The parties have stipulated to continue the sentencing hearing date as
13 presently scheduled.

14 This Court, being convinced that adequate showing has been made that
15 were this request for continuance to be denied, counsel would not have the
16 necessary time to effectively prepare for the sentencing hearing, taking into account
17 the exercise of due diligence, and a miscarriage of justice could result, based on the
18 following:

- 19 1. Counsel for the Defendant is appointed CJA counsel.
- 20 2. The Defendant is in custody and consents to this stipulation.
- 21 3. Counsel for the Defendant needs additional time to finalize preparation
22 of additional information for this Court prior to sentencing.
- 23 4. Counsel for the Defendant will be out of the jurisdiction during July 1
24 to July 5, 2018 and July 13 to July 19, 2018.
- 25 5. Denial of this request for continuance would deny the parties herein
26 time and the opportunity to effectively and thoroughly prepare for the sentencing
27 hearing, taking into account the exercise of due diligence.
- 28 6. Additionally, denial of this request for continuance could result in a

1 miscarriage of justice.

2 7. For all of the above-stated reasons, the ends of justice would best be
3 served by a continuance of the sentencing date.

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ORDER

IT IS HEREBY **ORDERED**, that the sentencing hearing currently scheduled for June 26, 2018 at 9:00 A.M. be vacated and continued to Tuesday, July 31, 2018 at the hour of 9:00 a.m..

ENTERED this 25th day of June, 2018.



United States District Court Judge